

UNOFFICIAL VERSION

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MONDAY, FEBRUARY 6, 2017

FIFTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:30 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Minister Brandon Owens of First Baptist Church in Nashville, Tennessee, a guest of Senator Harper.

PLEDGE OF ALLEGIANCE

Senator Tate led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Tate led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

COMMUNICATION

February 6, 2017

Lt. Gov. Randy McNally
1 LP
Nashville, TN 37243

RE: Monday, February 6, 2017

Dear Lt. Gov. McNally:

I will be out of the office and not able to attend Session on Monday, February 6, 2017.

Please approve my not being present that day and feel free to call me if you have any questions.

Sincerely,

/s/ Mark E. Green, M.D.
State Senator

APPROVED: Lieutenant Governor
Randy McNally

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 313 through 407** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 313 by Senator Jackson.

Medical Occupations -- As introduced, revises definitions related to practice of chiropractic; changes requirements related to composition, powers, and duties of the board of chiropractic examiners. Amends TCA Title 63, Chapter 4.

Senate Bill No. 314 by Senator Briggs.

Comptroller, State -- As introduced, clarifies that tax increment agencies need only file an annual statement of tax increment revenues allocated to the tax increment agency for active plans. Amends TCA Title 9, Chapter 23.

Senate Bill No. 315 by Senator Gresham.

Comptroller, State -- As introduced, requires a local government receiving annual audit findings to submit its annual budget and a corrective action plan to the comptroller; grants the comptroller discretion to approve the local government budget; authorizes sales tax revenue to be withheld from a noncomplying local government; grants the comptroller discretion to waive certain requirements. Amends TCA Title 9, Chapter 3, Part 4.

Senate Bill No. 316 by Senator Gardenhire.

Forfeiture of Assets -- As introduced, establishes a new procedure for the seizure and forfeiture of assets as the result of criminal activity; requires conviction for the underlying criminal conviction before forfeiture can occur; requires clear and convincing evidence that the property is subject to forfeiture; and provides that all forfeited or abandoned money be deposited in state general fund and all property forfeitures be sold and the proceeds go into state general fund. Amends TCA Title 39; Title 40; Title 53 and Title 55.

Senate Bill No. 317 by Senator Bailey.

Special License Plates -- As introduced, extends from March 1 to March 15 the date by which the commissioner of revenue, or the commissioner's designee, has to appear before the transportation committee of the house of representatives and the transportation and safety committee of the senate to annually report the status of the computerized titling and registration system. Amends TCA Title 55.

Senate Bill No. 318 by Senator Bailey.

Highways, Roads and Bridges -- As introduced, increases from 10 to 30 days, the time in which a recipient of a second notice from the department of transportation has to confirm being the owner of utility facilities and to describe the type of utility service, and description and location of each facility; increases from 10 to 30 days, the time in which the owner of utility facilities has to file a reservation of rights notice to the department following the issuance of a notice to proceed by the department. Amends TCA Title 54.

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Senate Bill No. 319 by Senator Harris.

Sentencing -- As introduced, creates an affirmative defense to the enhanced punishment for selling drugs on the grounds of or within 1,000' of a school, child care center, library, recreational center, or park that law enforcement, or an agent of law enforcement, suggested, requested, or lured the defendant into the prohibited area. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 320 by Senator Harris.

General Assembly -- As introduced, authorizes the public to access dashboard in the same manner as the general assembly; provided, that the information does not violate attorney-client privilege. Amends TCA Title 3.

Senate Bill No. 321 by Senator Harris.

General Assembly -- As introduced, requires the office of legislative information systems to provide members and the staff of members with access to dashboard until the member leaves office; requires the office to ensure that public access to dashboard does not violate attorney-client privilege. Amends TCA Title 3.

Senate Bill No. 322 by Senator Harris.

General Assembly -- As introduced, requires the joint legislative services committee to publish on the general assembly website the floor voting record of each member following the conclusion of each annual or extraordinary session of the general assembly. Amends TCA Title 3.

Senate Bill No. 323 by Senator Harris.

Traffic Safety -- As introduced, authorizes law enforcement to scan a school bus driver's portable electronic device if the officer has probable cause to believe the driver was using the device in violation of state law and the driver was involved in a crash resulting in death or serious bodily injury. Amends TCA Title 4; Title 39; Title 40; Title 49 and Title 55.

Senate Bill No. 324 by Senator Harris.

Traffic Safety -- As introduced, authorizes law enforcement to scan driver's portable electronic device if officer has probable cause to believe driver was using device in violation of state law and driver was involved in an accident resulting in death or serious bodily injury. Amends TCA Title 4; Title 39; Title 40 and Title 55.

Senate Bill No. 325 by Senator Harris.

Employees, Employers -- As introduced, enacts the "Save Tennessee Call Center Jobs Act." Amends TCA Title 4; Title 9; Title 12; Title 50 and Title 67.

Senate Bill No. 326 by Senator Harris.

Children -- As introduced, prohibits solitary confinement for juveniles in a juvenile detention facility. Amends TCA Title 37.

Senate Bill No. 327 by Senator Overbey.

Financial Disclosure -- As introduced, requires a member of the general assembly to disclose travel expenses paid on behalf of the member by a person with an interest in a public policy of this state if the travel was for the purpose of informing or advising the member with respect to the policy. Amends TCA Title 2, Chapter 10, Part 1; Title 3, Chapter 6 and Title 8, Chapter 50, Part 5.

Senate Bill No. 328 by Senator Kelsey.

Healthcare Liability -- As introduced, increases from 60 to 65 the number of days a person asserting a potential claim for healthcare liability must give written notice of the potential claim to each

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healthcare provider that will be a named defendant before filing a complaint in court. Amends TCA Title 16; Title 17 and Title 29.

Senate Bill No. 329 by Senator Kelsey.

Professions and Occupations -- As introduced, specifies that a person who holds a master's degree in engineering from an approved institution, has a record of at least four years of progressive experience on certain engineering projects, and has obtained certification as an engineer intern must be registered as an engineer upon passage of an examination. Amends TCA Section 62-2-401.

Senate Bill No. 330 by Senator Johnson.

Wine & Wineries -- As introduced, authorizes wineries and farm wineries to purchase or import finished wine product and use or dispose of the finished wine product in any manner otherwise authorized for the use or disposal of wine manufactured, bottled, or produced by a winery or farm winery. Amends TCA Section 57-3-207.

Senate Bill No. 331 by Senator Johnson.

Cooperatives -- As introduced, decreases the maximum number of members in which any electrical cooperative's bylaws may allow a cooperative member to vote for as proxy from 10 members to 7 members. Amends TCA Title 7 and Title 65.

Senate Bill No. 332 by Senator Johnson.

Employees, Employers -- As introduced, decreases the amount of time that an employee has to leave the employer's premises from 12 hours to 10 hours from the time the employee ceased working for the employer. Amends TCA Title 50.

Senate Bill No. 333 by Senator Kelsey.

Healthcare Liability -- As introduced, compels experts in a health care liability action to provide testimony on written statement in certain circumstances. Amends TCA Title 29, Chapter 26.

Senate Bill No. 334 by Senator Harper.

Education, Dept. of -- As introduced, allows the commissioner to assign certain schools or grade configurations within certain schools to the ASD unless the parents of 60 percent of the children enrolled at the school object by signing a petition, at which time the LEA may agree to certain alternate interventions for the school. Amends TCA Title 49, Chapter 1, Part 6.

Senate Bill No. 335 by Senator Harper.

Education -- As introduced, prohibits a school assigned to the ASD from serving grades other than those served by the school before its assignment to the ASD; prohibits the ASD from recruiting students zoned for another school if a school is assigned to the ASD. Amends TCA Title 49.

Senate Bill No. 336 by Senator Niceley.

Criminal Offenses -- As introduced, creates the Class E felony of injuring someone or damaging their property with the intent to intimidate the person from the free exercise of political beliefs, political party affiliation, or choice of candidate for public office. Amends TCA Title 39, Chapter 17, Part 3.

Senate Bill No. 337 by Senator Niceley.

Food and Food Products -- As introduced, adds beekeeping to practices included in the Tennessee Community Gardening Act. Amends TCA Title 43 and Title 44, Chapter 15.

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Senate Bill No. 338 by Senator Niceley.

Secretary of State -- As introduced, requires the secretary of state, when a property owner makes a request, to opine on whether property has been annexed by a municipality. Amends TCA Title 8, Chapter 3, Part 1.

Senate Bill No. 339 by Senator Niceley.

Firearms and Ammunition -- As introduced, reduces the penalty for the offense of carrying a handgun without a permit and with the intent to go armed to a Class C misdemeanor with a \$25 fine for a first offense or \$50 for a second or subsequent offense and requires a citation to be issued in lieu of arrest. Amends TCA Title 39, Chapter 17, Part 13 and Title 40.

Senate Bill No. 340 by Senator Niceley.

Education -- As introduced, enacts the "Local School District Empowerment Act," which creates a pilot program for reestablishment of the office of elected school superintendent; requires the department of education to study the pilot program procedures for reestablishment of the office; adjusts duties of local boards of education in systems in which the office of elected school superintendent is reestablished. Amends TCA Title 49.

Senate Bill No. 341 by Senator Niceley.

Teachers, Principals and School Personnel -- As introduced, authorizes school counselors, with parental consent, to refer students to private counselors; prohibits the LEA or counselor from covering the cost of the student's referral or services. Amends TCA Title 4; Title 49 and Title 63.

Senate Bill No. 342 by Senator Niceley.

Election Laws -- As introduced, requires candidates to be listed in alphabetical order in a presidential election year and the following year and in reverse alphabetical order in a gubernatorial election year and the following year. Amends TCA Title 2, Chapter 5.

Senate Bill No. 343 by Senator Niceley.

Food and Food Products -- As introduced, requires commissioner of agriculture to promulgate rules to exempt from the Tennessee Meat and Poultry Inspection Act any livestock producers who are acting in compliance with the Federal Meat Inspection Act. Amends TCA Title 53, Chapter 7.

Senate Bill No. 344 by Senator Niceley.

Election Laws -- As introduced, changes the nomination process for candidates for United States senator. Amends TCA Title 2, Chapter 13.

Senate Bill No. 345 by Senator Niceley.

Highways, Roads and Bridges -- As introduced, contingent upon monthly surplus state tax revenues exceeding \$5 million, allocates 25 percent of the surplus revenues to the priority transportation project fund to be used for transportation projects; requires commissioner of transportation to recommend the top 100 projects to be funded; authorizes general assembly to appropriate from fund to implement all or part of the projects recommended. Amends TCA Title 4; Title 9; Title 54 and Title 67.

Senate Bill No. 346 by Senator Niceley.

Business and Commerce -- As introduced, establishes the Tennessee horse racing commission to regulate horse racing and pari-mutuel wagering in Tennessee. Amends TCA Title 4; Title 39; Title 44; Title 62 and Title 67.

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Senate Bill No. 347 by Senator Niceley.

Food and Food Products -- As introduced, includes catering businesses that make occasional sales one time per week up to 52 times per year in the exclusion of catering businesses from regulation as food service establishments under the Tennessee Food Safety Act and the Tennessee Retail Food Safety Act. Amends TCA Title 53 and Title 68.

Senate Bill No. 348 by Senator Niceley.

Alcoholic Beverages -- As introduced, authorizes the sale of alcoholic beverages for on-premises consumption at Swann's Marina in Jefferson County. Amends TCA Section 57-4-102.

Senate Bill No. 349 by Senator Niceley.

Game and Fish Laws -- As introduced, authorizes the importation of certain wildlife harvested in other states if taken directly to a taxidermist, or to a meat processing facility in this state for processing; establishes restrictions on the use and disposal of such wildlife by taxidermists and processors. Amends TCA Title 39; Title 53, Chapter 7 and Title 70.

Senate Bill No. 350 by Senator Niceley.

Taxes, Exemption and Credits -- As introduced, exempts certain sales of paper money and gold, silver, platinum, and palladium coins and bullion from the sales and use tax. Amends TCA Title 67, Chapter 6.

Senate Bill No. 351 by Senator Lundberg.

Taxes, Franchise -- As introduced, extends, from January 1, 2011 to January 1, 2014, the date by which applications for a franchise tax credit on purchases of industrial machinery can be received and approved by the commissioner of revenue and the commissioner of economic and community development to be exempt from the 15-year limitation on carrying forward credits. Amends TCA Section 67-4-2009.

Senate Bill No. 352 by Senator Beavers.

Election Laws -- As introduced, deletes the requirement that a county election commission publish in a newspaper of general circulation a notice of the time and place of a supplemental voter registration, at least three days before the supplemental voter registration, and with notice that transfers of registration can be conducted at the supplemental voter registration. Amends TCA Section 2-2-114.

Senate Bill No. 353 by Senator Southerland.

Taxes, Hotel Motel -- As introduced, increases the time an operator of a hotel must preserve records associated with providing accommodations and assessment of the hotel tax from three years to four years. Amends TCA Title 5; Title 6; Title 7; Title 13; Title 67 and Title 68.

Senate Bill No. 354 by Senator Jackson.

Alcoholic Beverages -- As introduced, designates the Full Throttle Distillery located in Trimble a premier type tourist resort for purposes of consuming alcoholic beverages on the premises. Amends TCA Section 57-4-102.

Senate Bill No. 355 by Senator Tracy.

Contractors -- As introduced, increases the monetary limit that triggers requirement that review of the financial statement of an applicant for a contractor's license be attested by the reviewing accountant from \$1.5 million to \$3 million; increases maximum value of buildings that small commercial building contractors may build for use and occupancy by the general public from \$750,000 to \$1.5 million. Amends TCA Title 62, Chapter 6.

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Senate Bill No. 356 by Senator Tracy.

Firearms and Ammunition -- As introduced, prohibits denying a law enforcement officer entry to or removing a law enforcement officer from an event for which the officer holds a valid ticket or has paid an admission fee if denial or removal is based on the officer's lawful carrying of a firearm; permits owner or operator of venue for an event to require law enforcement officer to inform the owner or operator that the officer will be present at the event and in possession of a firearm. Amends TCA Title 39, Chapter 17, Part 13.

Senate Bill No. 357 by Senator Tracy.

Credit Unions -- As introduced, increases from \$10,000 to \$15,000 the aggregate amount that a credit union may pay out of all accounts or contents of safe deposit boxes maintained by a deceased shareholder or depositor. Amends TCA Title 45.

Senate Bill No. 358 by Senator Johnson.

Orders of Protection -- As introduced, allows the respondent to an ex parte order of protection to waive the right to a hearing on the order within 15 days of issuance if the respondent acknowledges that the ex parte order will remain in effect until the hearing is held and the court finds that the interests of justice require the continuance of the hearing. Amends TCA Title 36, Chapter 3, Part 6.

Senate Bill No. 359 by Senator Johnson.

Vital Records -- As introduced, requires that a medical examiner make certain findings before listing suicide as a cause of death, and creates a presumption against a determination of cause of death by suicide; creates a process by which a deceased person's spouse, parent, guardian, next of kin, or estate administrator can request the medical examiner reconsider a determination of cause of death by suicide. Amends TCA Title 68, Chapter 3, Part 5.

Senate Bill No. 360 by Senator Overbey.

Tobacco, Tobacco Products -- As introduced, requires the department of agriculture's annual report on efforts to enforce the Prevention of Youth Access to Tobacco and Vapor Products Act be posted on the department's website for dissemination to the public and submitted electronically to the general assembly on or before January 15 of each year. Amends TCA Title 4; Title 39; Title 47; Title 49; Title 62; Title 63; Title 67 and Title 68.

Senate Bill No. 361 by Senator Haile.

State Employees -- As introduced, extends state employee defense protections to foster parents under contract with agencies under contract with the state and not just to foster parents under contract with the state. Amends TCA Title 8, Chapter 42 and Title 9, Chapter 8.

Senate Bill No. 362 by Senator Haile.

Adoption -- As introduced, permits a parent to complete documents and forms necessary to execute a surrender or parental consent prior to the birth of a child; deems invalid a surrender or parental consent filed prior to a child's birth until after the birth of the child and the expiration of any applicable waiting period. Amends TCA Title 36, Chapter 1, Part 1.

Senate Bill No. 363 by Senator Haile.

Local Government, General -- As introduced, clarifies that no local government has the authority to enact a law that would place requirements regarding inclusionary, affordable, or below market value housing when entitlements, variances, or any other form of permit or authorization is sought from the local government. Amends TCA Title 7; Title 13 and Title 66.

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Senate Bill No. 364 by Senator Roberts.

Taxes, Privilege -- As introduced, phases out the professional privilege tax over a four-year period, by reducing the amount of the tax by \$100 each year, for tax years that begin on and after June 1, 2017. Amends TCA Title 67, Chapter 4, Part 17.

Senate Bill No. 365 by Senator Roberts.

Welfare -- As introduced, requires the Tennessee education lottery corporation to provide information to the department of human services for each person who wins a prize of more than \$5,000; requires the department of human services to conduct data matches against certain databases to determine SNAP eligibility; requires the bureau of TennCare to verify enrollee information against certain databases once an automated, electronic eligibility system is implemented. Amends TCA Title 4; Title 71, Chapter 5, Part 1 and Title 71, Chapter 5, Part 3.

Senate Bill No. 366 by Senator Overbey.

Tennessee Higher Education Commission -- As introduced, reduces from 30 to 25 the number of full-time creditable service years a retired schoolteacher must have served in a Tennessee public school for the retired schoolteacher's child to qualify for a tuition discount. Amends TCA Title 8, Chapter 50 and Title 49, Chapter 7.

Senate Bill No. 367 by Senator Overbey.

Insurance, Health, Accident -- As introduced, requires health insurance coverage to cover hypofractionated proton therapy in the same manner as it covers intensity modulated radiation therapy under certain conditions. Amends TCA Title 8; Title 56 and Title 71.

Senate Bill No. 368 by Senator Overbey.

Taxes, Exemption and Credits -- As introduced, exempts contractors and subcontractors from the sales or use tax on construction materials if the materials are purchased by a local education agency and are used in local education agency construction. Amends TCA Section 67-6-209.

Senate Bill No. 369 by Senator Overbey.

Physicians and Surgeons -- As introduced, clarifies that quality improvement committees apply to osteopathic doctors; updates references to the repealed Tennessee Peer Review Act of 1967. Amends TCA Title 56, Chapter 32, Part 1; Title 63, Chapter 1, Part 1; Title 63, Chapter 6, Part 2; Title 63, Chapter 9, Part 1 and Title 68, Chapter 11, Part 2.

Senate Bill No. 370 by Senator Overbey.

Real Estate Agents and Brokers -- As introduced, deletes the requirement that the executive director of the real estate commission pass the broker's examination. Amends TCA Title 62, Chapter 13.

Senate Bill No. 371 by Senator Overbey.

Unclaimed Property -- As introduced, enacts the "Uniform Unclaimed Property Act." Amends TCA Title 30; Title 45; Title 48; Title 56; Title 66 and Title 67.

Senate Bill No. 372 by Senator Overbey.

Real Property -- As introduced, clarifies that a local government may regulate and tax a short-term rental unit that is located within the local government's jurisdiction. Amends TCA Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68.

Senate Bill No. 373 by Senator Overbey.

Insurance Companies, Agents, Brokers, Policies -- As introduced, requires an insured that has paid premiums for full replacement contents coverage for losses from catastrophic wildfires to be paid the

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full amount of the coverage purchased without the necessity of purchasing replacement items prior to being compensated. Amends TCA Title 56.

Senate Bill No. 374 by Senator Overbey.

Law Enforcement -- As introduced, increases the salary supplement for firefighters and local police officers who complete an annual course of training from \$600 to \$1,000. Amends TCA Title 4 and Title 38.

Senate Bill No. 375 by Senator Overbey.

Law Enforcement -- As introduced, increases the amount paid to the estate of a law enforcement officer, firefighter, or a volunteer rescue squad worker killed in the line of duty from \$25,000 to \$50,000; adds additional benefits under certain circumstances. Amends TCA Title 7, Chapter 51, Part 2.

Senate Bill No. 376 by Senator Overbey.

Hospitals and Health Care Facilities -- As introduced, changes the time period from seven days to five business days for a nursing home to request a waiver of regulations relating to nursing home administrators after an unexpected loss. Amends TCA Title 68.

Senate Bill No. 377 by Senator Overbey.

Campaigns and Campaign Finance -- As introduced, requires that campaign funds be deposited into a financial institution insured by the FDIC or the national credit union administration that is authorized to do business in this state. Amends TCA Title 2, Chapter 10.

Senate Bill No. 378 by Senators Briggs and Bowling.

Criminal Offenses -- As introduced, prohibits the death penalty as a punishment for defendants suffering from severe mental illness at the time of the offense. Amends TCA Title 39 and Title 40.

Senate Bill No. 379 by Senator Briggs.

Teachers, Principals and School Personnel -- As introduced, specifies that the rate of compensation set by an LEA for substitute teachers who are retired teachers who retired after June 30, 2011, cannot be less for retired teachers without an active teaching license than it is for retired teachers with an active teaching license. Amends TCA Section 49-3-312.

Senate Bill No. 380 by Senators Gardenhire and Gresham.

School Vouchers -- As introduced, enacts the "Tennessee Choice & Opportunity Scholarship Act." Amends TCA Title 49, Chapter 1.

Senate Bill No. 381 by Senators Gardenhire and Harper.

School Transportation -- As introduced, requires any bus ordered or purchased on or after July 1, 2018, to be equipped with a restraint system; requires any bus that is currently used to transport students be equipped with a restraint system by July 1, 2023. Amends TCA Title 49, Chapter 6, Part 21 and Title 55, Chapter 9, Part 6.

Senate Bill No. 382 by Senator Gardenhire.

Public Officials -- As introduced, prohibits a public facility from being named for a public official who is in office, for five years after the public official leaves office, or if the public official has been convicted of a felony or a crime of moral turpitude; prohibits a public official from making charitable donations in the public official's name if the donation is from public funds. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9 and Title 12.

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Senate Bill No. 383 by Senators Gardenhire, Watson and Gresham.

Water Authorities -- As introduced, exempts LEAs from storm water user's fees. Amends TCA Title 68, Chapter 221.

Senate Bill No. 384 by Senator Massey.

Driver Licenses -- As introduced, requires that driver licenses be printed in vertical format for persons under 21 years of age; authorizes licensees to replace vertical format license with horizontal one upon reaching 21 years of age for the cost of a duplicate license. Amends TCA Title 55, Chapter 50, Part 3.

Senate Bill No. 385 by Senator Massey.

Drugs, Synthetic or Analogue -- As introduced, excludes from the definition of marijuana a cannabidiol product approved as a prescription medication by the United States Food and Drug Administration. Amends TCA Section 39-17-402.

Senate Bill No. 386 by Senator Green.

Firearms and Ammunition -- As introduced, permits the use of certain defenses to unlawful possession or carrying of a weapon by a person with a prior conviction for a felony involving the use of force, violence, deadly weapon, or drugs if the person's rights of citizenship have been restored. Amends TCA Section 39-17-1308 and Title 40, Chapter 29, Part 1.

Senate Bill No. 387 by Senator Kyle.

Beer -- As introduced, decreases the privilege tax on beer from \$4.29 per barrel to \$1.90 per barrel; decreases the wholesale tax on beer from \$35.60 per barrel to \$15.77 per barrel; decreases allocation of beer tax revenue to litter programs from \$0.50 to \$0.23. Amends TCA Title 57, Chapter 5 and Title 57, Chapter 6, Part 1.

Senate Bill No. 388 by Senator Bowling.

Criminal Offenses -- As introduced, enacts the "Joe Moon Act," which increases the penalty for evading arrest that results in the death of another. Amends TCA Title 39, Chapter 16, Part 6.

Senate Bill No. 389 by Senator Bowling.

Taxes, Hotel Motel -- As introduced, authorizes the City of McMinnville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 3 percent on the privilege of staying in any hotel or motel in McMinnville; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. Amends TCA Section 67-4-1425.

Senate Bill No. 390 by Senator Bowling.

Alcoholic Beverages -- As introduced, designates the Sewanee Inn in Franklin County as a premier type tourist resort for the purposes of on-premises consumption of alcoholic beverages. Amends TCA Section 57-4-102.

Senate Bill No. 391 by Senator Bowling.

Bail, Bail Bonds -- As introduced, deletes requirement that an affidavit of a jailer, warden, or officer be furnished to a court to avoid forfeiture of any appearance or bail bond and instead declares that no forfeiture or conditional forfeiture of any appearance or bail bond shall be rendered where evidence of the defendant's incarceration is furnished to the court. Amends TCA Section 40-11-201.

Senate Bill No. 392 by Senators Haile and Dickerson.

TennCare -- As introduced, prohibits certain direct and indirect charges to a pharmacist by a pharmacy benefits manager (PBM) or a health insurance entity; requires PBMs and auditing entities to make certain registrations. Amends TCA Title 4; Title 56; Title 63 and Title 71.

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Senate Bill No. 393 by Senator Gresham.

Education -- As introduced, changes, from a written request to a signed written statement, the way in which a parent of a dual enrollment high school student authorizes the student's high school to forward the student's immunization records to the postsecondary institution. Amends TCA Title 49, Chapter 6 and Title 49, Chapter 7.

Senate Bill No. 394 by Senator Gresham.

Education -- As introduced, revises requirements in state law where an SAT score is explicitly stated to account for the change in scoring on the revised SAT exams. Amends TCA Section 49-2-702 and Title 49, Chapter 4, Part 9.

Senate Bill No. 395 by Senator Gresham.

Scholarships and Financial Aid -- As introduced, enacts the "Empowerment Scholarship Account Act." Amends TCA Title 49, Chapter 1.

Senate Bill No. 396 by Senator Overbey.

Pensions and Retirement Benefits -- As introduced, authorizes a retired member of the Tennessee consolidated retirement system to nominate a subsequent spouse to receive certain optional retirement allowances of the member upon the member's death. Amends TCA Title 8.

Senate Bill No. 397 by Senator Haile.

Pharmacy, Pharmacists -- As introduced, under certain circumstances, prohibits the state from entering into, or renewing, a contract with a pharmacy benefits manager where the pharmacy benefits manager has an ownership interest in a pharmacy in its network, or the pharmacy has an ownership interest in the pharmacy benefits manager. Amends TCA Title 4, Chapter 3; Title 56, Chapter 7 and Title 71, Chapter 5.

Senate Bill No. 398 by Senator Haile.

TennCare -- As introduced, requires the bureau of TennCare to report to the senate health and welfare committee and the health committee of the house of representatives concerning the effects of incorporating medication therapy management into its healthcare delivery systems by January 15, 2018. Amends TCA Title 63, Chapter 10 and Title 71, Chapter 5.

Senate Bill No. 399 by Senator Gresham.

Education, State Board of -- As introduced, requests that the Tennessee Code Commission copy the language in Tennessee Code Annotated, Section 49-5-108 and add it to Tennessee Code Annotated, Title 49, Chapter 1, Part 3 as a new, appropriately designated section. Amends TCA Title 49, Chapter 1 and Title 49, Chapter 5.

Senate Bill No. 400 by Senator Gresham.

Education -- As introduced, creates a pilot program to provide grants to elementary and middle schools to implement the Leader in Me® pilot program. Amends TCA Title 49, Chapter 1, Part 2.

Senate Bill No. 401 by Senator Gresham.

Teachers, Principals and School Personnel -- As introduced, increases the money teachers receive for classroom instruction materials from \$200 to \$400. Amends TCA Title 49, Chapter 3.

Senate Bill No. 402 by Senator Gresham.

DUI Offenses -- As introduced, prohibits a person who has been convicted of a fourth or subsequent violation of driving under the influence from driving within the state, including prohibiting the issuance of a restricted driver license to such a person. Amends TCA Title 55.

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Senate Bill No. 403 by Senator Gresham.

Financial Disclosure -- As introduced, exempts churches and other religious organizations from campaign finance disclosures when expending funds in favor of or in opposition to single or multiple issue measures related to public or private morality. Amends TCA Section 2-10-101.

Senate Bill No. 404 by Senator Gresham.

Local Education Agencies -- As introduced, allows LEAs to choose whether to do payroll deduction of professional employees' organization dues; requires LEAs making payroll deduction of dues for one professional employees' organization to make payroll deduction of dues available to members of any professional employees' organization; requires an employee to request such deduction; allows an employee to rescind the authorization for a payroll deduction of dues at any time. Amends TCA Title 49, Chapter 2 and Title 49, Chapter 5.

Senate Bill No. 405 by Senator Kyle.

Criminal Procedure -- As introduced, permits person to apply to have a current conviction expunged even if person has prior convictions for Class C or Class B misdemeanors. Amends TCA Section 40-32-101.

Senate Bill No. 406 by Senator Tracy.

Comptroller, State -- As introduced, increases from five business days to 10 business days the period a contracting entity has to file a written objection to a notice of audit from the comptroller. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8 and Title 9.

Senate Bill No. 407 by Senator Briggs.

Physicians and Surgeons -- As introduced, prohibits certain adverse actions against a physician on the basis of the physician's failure to maintain specialty board certification or maintenance of licensure under a framework established by the Federation of State Medical Boards. Amends TCA Title 33; Title 56, Chapter 7; Title 63, Chapter 6; Title 63, Chapter 9 and Title 68.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 265 through 312** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 265 referred to the Committee on Judiciary.

Senate Bill No. 266 referred to the Committee on Education.

Senate Bill No. 267 referred to the Committee on Judiciary.

Senate Bill No. 268 referred to the Committee on Health and Welfare.

Senate Bill No. 269 referred to the Committee on Judiciary.

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Senate Bill No. 270 referred to the Committee on Transportation and Safety.

Senate Bill No. 271 referred to the Committee on Education.

Senate Bill No. 272 referred to the Committee on Transportation and Safety.

Senate Bill No. 273 referred to the Committee on State and Local Government.

Senate Bill No. 274 referred to the Committee on Judiciary.

Senate Bill No. 275 referred to the Committee on State and Local Government.

Senate Bill No. 276 referred to the Committee on Education.

Senate Bill No. 277 referred to the Committee on State and Local Government.

Senate Bill No. 278 referred to the Committee on Commerce and Labor.

Senate Bill No. 279 referred to the Committee on Judiciary.

Senate Bill No. 280 referred to the Committee on Judiciary.

Senate Bill No. 281 referred to the Committee on State and Local Government.

Senate Bill No. 282 referred to the Committee on Energy, Agriculture and Natural Resources.

Senate Bill No. 283 referred to the Committee on Commerce and Labor.

Senate Bill No. 284 referred to the Committee on Judiciary.

Senate Bill No. 285 referred to the Committee on Judiciary.

Senate Bill No. 286 referred to the Committee on State and Local Government.

Senate Bill No. 287 referred to the Committee on Judiciary.

Senate Bill No. 288 referred to the Committee on Commerce and Labor.

Senate Bill No. 289 referred to the Committee on Commerce and Labor.

Senate Bill No. 290 referred to the Committee on State and Local Government.

Senate Bill No. 291 referred to the Committee on Transportation and Safety.

Senate Bill No. 292 referred to the Committee on Commerce and Labor.

Senate Bill No. 293 referred to the Committee on Health and Welfare.

Senate Bill No. 294 referred to the Committee on Commerce and Labor.

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Senate Bill No. 295 referred to the Committee on Energy, Agriculture and Natural Resources.

Senate Bill No. 296 referred to the Committee on State and Local Government.

Senate Bill No. 297 referred to the Committee on Commerce and Labor.

Senate Bill No. 298 referred to the Committee on Commerce and Labor.

Senate Bill No. 299 referred to the Committee on Transportation and Safety.

Senate Bill No. 300 referred to the Committee on Transportation and Safety.

Senate Bill No. 301 referred to the Committee on Commerce and Labor.

Senate Bill No. 302 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 303 referred to the Committee on Commerce and Labor.

Senate Bill No. 304 referred to the Committee on State and Local Government.

Senate Bill No. 305 referred to the Committee on Commerce and Labor.

Senate Bill No. 306 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 307 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 308 referred to the Committee on Judiciary.

Senate Bill No. 309 referred to the Committee on Judiciary.

Senate Bill No. 310 referred to the Committee on Judiciary.

Senate Bill No. 311 referred to the Committee on Judiciary.

Senate Bill No. 312 referred to the Committee on Judiciary.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 68 through 70** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 68 by Senators Gardenhire and Watson.
Memorials, Death -- William "Bill" Lacy Carter, Jr.

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Senate Joint Resolution No. 69 by Senator Massey.
Memorials, Recognition -- Halls High School, 100th Anniversary.

Senate Joint Resolution No. 70 by Senator Gresham.
General Assembly, Statement of Intent or Position -- Encourages Tennessee Education Association Board of Directors to seek the repeal of National Education Association Resolution I-17.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 29, 30, 59 through 64 and 66 through 70**; and **Senate Joint Resolutions Nos. 62 through 67** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 29 -- Memorials, Recognition -- Reverend William "Bill" Owens.

The Speaker announced that he had referred House Joint Resolution No. 29 to the Committee on Calendar.

House Joint Resolution No. 30 -- Memorials, Recognition -- Joseph Atnip.

The Speaker announced that he had referred House Joint Resolution No. 30 to the Committee on Calendar.

House Joint Resolution No. 59 -- Memorials, Death -- Sergeant Major Kenneth Eugene Goins.

The Speaker announced that he had referred House Joint Resolution No. 59 to the Committee on Calendar.

House Joint Resolution No. 60 -- Memorials, Retirement -- JoAnn Wallace Whitaker.

The Speaker announced that he had referred House Joint Resolution No. 60 to the Committee on Calendar.

House Joint Resolution No. 61 -- Memorials, Death -- Bill L. DeGuire.

The Speaker announced that he had referred House Joint Resolution No. 61 to the Committee on Calendar.

House Joint Resolution No. 62 -- Memorials, Death -- Avon Rollins, Sr.

The Speaker announced that he had referred House Joint Resolution No. 62 to the Committee on Calendar.

House Joint Resolution No. 63 -- Memorials, Personal Achievement -- John Thomas Glasner, Eagle Scout.

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The Speaker announced that he had referred House Joint Resolution No. 63 to the Committee on Calendar.

House Joint Resolution No. 64 -- Memorials, Death -- Chattanooga school bus victims.

The Speaker announced that he had referred House Joint Resolution No. 64 to the Committee on Calendar.

House Joint Resolution No. 66 -- Memorials, Recognition -- Chalan Gabriella Sanders, World's Pre-Teen Miss Tennessee Tourism.

The Speaker announced that he had referred House Joint Resolution No. 66 to the Committee on Calendar.

House Joint Resolution No. 67 -- Memorials, Death -- Brock Wyatt Blick.

The Speaker announced that he had referred House Joint Resolution No. 67 to the Committee on Calendar.

House Joint Resolution No. 68 -- Memorials, Recognition -- Mike Nawrocki.

The Speaker announced that he had referred House Joint Resolution No. 68 to the Committee on Calendar.

House Joint Resolution No. 69 -- Memorials, Recognition -- Kingsport Masonic Lodge No. 688, 100th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 69 to the Committee on Calendar.

House Joint Resolution No. 70 -- Memorials, Recognition -- Self-Care Month, February 2017.

The Speaker announced that he had referred House Joint Resolution No. 70 to the Committee on Health and Welfare.

Senate Joint Resolution No. 62 -- Memorials, Recognition -- Tennessee Craft Beer and Cider Month, April 2017.

The Speaker announced that he had referred Senate Joint Resolution No. 62 to the Committee on State and Local Government.

Senate Joint Resolution No. 63 -- Memorials, Recognition -- Alexa Austin.

The Speaker announced that he had referred Senate Joint Resolution No. 63 to the Committee on Calendar.

Senate Joint Resolution No. 64 -- Memorials, Recognition -- David Veridal.

The Speaker announced that he had referred Senate Joint Resolution No. 64 to the Committee on Calendar.

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Senate Joint Resolution No. 65 -- Memorials, Retirement -- Vickie Andrew.

The Speaker announced that he had referred Senate Joint Resolution No. 65 to the Committee on Calendar.

Senate Joint Resolution No. 66 -- Memorials, Recognition -- Kiara Moore.

The Speaker announced that he had referred Senate Joint Resolution No. 66 to the Committee on Calendar.

Senate Joint Resolution No. 67 -- Memorials, Death -- James "J.R." Rogers.

The Speaker announced that he had referred Senate Joint Resolution No. 67 to the Committee on Calendar.

ELECTION OF FISCAL REVIEW COMMITTEE

Mr. Speaker McNally declared the election of the Fiscal Review Committee as authorized by TCA § 3-7-101, was now in order.

Senator Norris placed in nomination the name of Senator Kelsey for a position to the Fiscal Review Committee.

Senator Tracy seconded the nomination of Senator Kelsey.

Senator Ketron moved nominations cease and that Senator Kelsey be elected by acclamation, which motion prevailed.

Mr. Speaker McNally declared pursuant to TCA § 3-7-101 Senator Kelsey duly and legally elected to the Fiscal Review Committee for the ensuing two years.

Senator Norris placed in nomination the name of Senator Yager for a position to the Fiscal Review Committee.

Senator Tracy seconded the nomination of Senator Yager.

Senator Ketron moved nominations cease and that Senator Yager be elected by acclamation, which motion prevailed.

Mr. Speaker McNally declared pursuant to TCA § 3-7-101 Senator Yager duly and legally elected to the Fiscal Review Committee for the ensuing two years.

Senator Yarbrow placed in nomination the name of Senator Kyle for a position to the Fiscal Review Committee.

Senator Harris seconded the nomination of Senator Kyle.

Senator Yarbrow moved nominations cease and that Senator Kyle be elected by acclamation, which motion prevailed.

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Mr. Speaker McNally declared pursuant to TCA § 3-7-101 Senator Kyle duly and legally elected to the Fiscal Review Committee for the ensuing two years.

CONSENT CALENDAR

Senate Joint Resolution No. 49 -- Memorials, Recognition -- Wayne Bettis.

Senate Joint Resolution No. 50 -- Memorials, Personal Achievement -- Braden Cupp, Eagle Scout.

Senate Joint Resolution No. 51 -- Memorials, Retirement -- Bobby J. Raines.

Senate Joint Resolution No. 54 -- Memorials, Congratulations -- Jenny and Dustin Ritchey, Wedding.

Senate Joint Resolution No. 55 -- Memorials, Death -- Wilma Blanche Spann Carney.

Senate Joint Resolution No. 56 -- Memorials, Professional Achievement -- Doug Young, Lifetime Achievement Award from Rutherford County Chamber of Commerce.

Senate Joint Resolution No. 58 -- Memorials, Death -- Edwin Hope Rayson.

Senate Joint Resolution No. 61 -- Memorials, Recognition -- Criminal Court of Knox County, 110th Anniversary.

House Joint Resolution No. 33 -- Memorials, Death -- Jane G. Eskind.

House Joint Resolution No. 34 -- Memorials, Personal Achievement -- Tammy Letzler and Kim Cox.

House Joint Resolution No. 39 -- Memorials, Recognition -- Jimmy Kelly's Steakhouse.

House Joint Resolution No. 40 -- Memorials, Personal Achievement -- Judson Miller Chaudoin, Eagle Scout.

House Joint Resolution No. 41 -- Memorials, Personal Occasion -- Annie L. Woodson, 100th Birthday.

House Joint Resolution No. 48 -- Memorials, Professional Achievement -- Derek Voiles, 2016-2017 Tennessee Teacher of the Year.

House Joint Resolution No. 49 -- Memorials, Recognition -- Montgomery Bell Academy, 150th Anniversary.

House Joint Resolution No. 50 -- Memorials, Death -- Mary Frances Hodges Lyle.

House Joint Resolution No. 51 -- Memorials, Death -- Betty Nixon.

House Joint Resolution No. 52 -- Memorials, Recognition -- Sharron J. Brown.

House Joint Resolution No. 54 -- Memorials, Retirement -- Dr. Helen James.

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House Joint Resolution No. 55 -- Memorials, Recognition -- Commemorates the August 21, 2017, total solar eclipse.

House Joint Resolution No. 56 -- Memorials, Sports -- Clarksville High School girls' soccer team, TSSAA Class AAA State Champions.

House Joint Resolution No. 57 -- Memorials, Sports -- Clarksville High School girls' golf team, TSSAA Class AAA State Champs.

House Joint Resolution No. 58 -- Memorials, Retirement -- Dr. Carlette Hardin.

Senator Massey moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 9 -- Constitutional Conventions -- Calls for a convention of the states to plan for an Article V convention to propose a balanced budget amendment to the United States Constitution; creates a balanced budget amendment convention committee.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the first resolving clause and substituting instead the following:

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED TENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that this legislative body respectfully calls a convention of the states, hereinafter called the "planning convention," consisting of commissioners duly chosen and authorized in such manner as their respective state legislatures determine, or, in default of such choice and authorization, selected jointly by the majority leadership of each legislative chamber, to convene initially at twelve o'clock noon on July 11, 2017, in Nashville, Tennessee, for the limited purposes of:

(a) Planning for, and recommending rules and procedures to, the prospective convention for proposing a balanced budget amendment to the United States Constitution; and

(b) Recommending to Congress the initial date and location of a convention for proposing a balanced budget amendment.

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On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Joint Resolution No. 9**, as amended, was adopted by the following vote:

Ayes 27
Noes 3

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--27.

Senators voting no were: Beavers, Kyle and Yarbro--3.

A motion to reconsider was tabled.

Senate Joint Resolution No. 29 -- General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of the University of Memphis.

Senate Joint Resolution No. 29 was adopted by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Joint Resolution No. 30 -- General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of Middle Tennessee State University.

Senate Joint Resolution No. 30 was adopted by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Joint Resolution No. 32 -- General Assembly, Confirmation of Appointment -- Confirms the appointment of persons to the state university board of East Tennessee State University.

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Senate Joint Resolution No. 32 was adopted by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 47 -- Election Laws -- As introduced, reorders the presidential primary ballots to allow for candidates for state and municipal offices to immediately follow the names of the presidential candidates; increases the number of vertical columns for each respective party's primary election on the ballot from two to three. Amends TCA Title 2, Chapter 13 and Title 2, Chapter 5.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting in Section 1(2) and (3)(A) the language "state and municipal offices" and substituting instead the language "state, county, and municipal offices".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 47**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

MOTION

Senator Crowe moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 76**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 76 by Senator Crowe.
Memorials, Recognition -- Celebrates Veterans Day on the Hill, February 8, 2017.

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On motion of Senator Crowe, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 76** was adopted by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Briggs, **Senate Bill No. 121** was recalled from the Committee on Education.

WITHDRAWAL OF BILL

On motion of Senator Briggs, Senate Bill No. 121 was withdrawn from the Senate.

MOTION

On motion of Senator Gresham and Mr. Speaker McNally; and Senators Gardenhire, Ketron, Lundberg, Haile and Johnson, their names were added as sponsors of **Senate Bill No. 161**.

On motion of Senator Harris, his name was added as sponsor of **Senate Bill No. 204**.

On motion of Senator Dickerson, his name was added as prime sponsor of **Senate Bill No. 225**.

On motion of Senator Gardenhire, his name was removed as sponsor of **Senate Bill No. 225**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bill No. 411**.

On motion of Senators Crowe, Niceley and Norris, their names were added as sponsors of **Senate Joint Resolution No. 9**.

On motion of Senators Hensley, Jackson and Kyle, their names were added as sponsors of **Senate Joint Resolution No. 29**.

On motion of Senator Haile, his name was added as sponsor of **Senate Joint Resolution No. 53**.

On motion of Senator Kyle, her name was added as sponsor of **Senate Joint Resolution No. 54**.

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On motion of Senator Tracy, his name was added as sponsor of **Senate Joint Resolution No. 56**.

On motion of Senator Briggs and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 58**.

On motion of Senator Overbey, his name was added as sponsor of **Senate Joint Resolution No. 61**.

On motion of Senators Norris, Bailey, Beavers, Bell, Bowling, Briggs, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 76**.

On motion of Senators Harper and Yarbrow, their names were added as sponsors of **House Joint Resolutions Nos. 33, 49, 50 and 51**.

On motion of Senators Tracy and Kyle, their names were added as sponsors of **House Joint Resolution No. 34**.

On motion of Senators Overbey, Bailey and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 39**.

On motion of Senator Hensley, his name was added as sponsor of **House Joint Resolution No. 41**.

On motion of Senators Gresham, Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 54**.

ENGROSSED BILLS

February 6, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 47; and Senate Joint Resolutions Nos. 9, 29, 30, 32, 49, 50, 51, 54, 55, 56, 58 and 61; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

February 6, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolution No. 76, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

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MESSAGE FROM THE HOUSE

February 7, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85 and 86; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 7, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 2, 10, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, 47 and 76; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

February 7, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 2, 43 and 76; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENROLLED BILLS

February 7, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 10, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 42, 45, 46 and 47; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 7, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 33, 34, 39, 40, 41, 48, 49, 50, 51, 52, 54, 55, 56, 57 and 58; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MONDAY, FEBRUARY 6, 2017 – 5TH LEGISLATIVE DAY

SIGNED

February 7, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 2, 43 and 76.

SIGNED

February 7, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 10, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 42, 45, 46 and 47; and House Joint Resolutions Nos. 33, 34, 39, 40, 41, 48, 49, 50, 51, 52, 54, 55, 56, 57 and 58.

MESSAGE FROM THE HOUSE

February 7, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 2, 43 and 76; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 7, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 10, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 42, 45, 46 and 47; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

February 7, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 2, 43 and 76; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

February 7, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 2, 43 and 76; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MONDAY, FEBRUARY 6, 2017 – 5TH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 9, 2017: Senate Joint Resolutions Nos. 63, 64, 65, 66 and 67; and House Joint Resolutions Nos. 29, 30, 59, 60, 61, 62, 63, 64, 66, 67, 68 and 69.

This the 7th day of February, 2017.
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 9, 2017: Senate Bills Nos. 139 and 143.

This the 7th day of February, 2017.
MASSEY, Chairperson

ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Wednesday, February 8, 2017, which motion prevailed.